

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Supervising Deputy Clerk.

F038163 County of Fresno v. Malaga County Water District et al.

Parties stipulate that (1) Dibiaso, Acting P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, Acting P.J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Neal Costanzo, Esq., counsel for appellant and by J. Wesley Merritt, Esq., Deputy County Counsel, counsel for respondent.

Submission deferred until Monday, July 29, 2002 for Dibiaso, Acting P.J. to listen to the tape recording of oral argument.

The court adjourns.

F040886 Findley et al v. Farmers Insurance Exchange

Appellants having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8(a)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F038491 Raymond v. Putnam

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F038491 Raymond v. Putnam

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039371 In re Dave V., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039371 In re Dave V., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039697 In re David J., Jr., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039697 In re David J., Jr., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038212 In re the Marriage of Danette & John Blackwell

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F038212 In re the Marriage of Danette and John Blackwell

The trial court's order is reversed. Cornell, J.

We concur: Buckley, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038436 People v. Hunt

The case is remanded to the trial court for it to strike the three prior prison term enhancements and to revise the abstract of judgment accordingly. In all other respects, judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037757 Precision Diagnostic Medical Corp. v. Wheeler et al.
F037926

The judgment in No. F037757 is affirmed. The order denying attorney fees in No. F037926 is reversed and the matter is remanded to the trial court with directions to fix and award reasonable attorneys' fees to respondents as prevailing parties under section 1717. Dibiaso, Acting P.J.

We concur: Vartabedian, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039205 In re Arnoldo B., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039205 In re Arnoldo B., a Minor

The judgment is reversed and the matter is remanded to the court below for further proceedings not inconsistent with this opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

IN THE

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IN AND FOR THE

Fifth Appellate District

F037335 People v. Martinez

The judgment is affirmed. Cornell, J.

We concur: Buckley, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039652 In re Tom N., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039652 In re Tom N., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040055 People v. Claxton

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.